

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IBEW PACIFIC COAST PENSION
FUND,

Plaintiff,

v.

HARRIS ELECTRIC, INC., et al.,

Defendants.

CASE NO. C18-0181JLR

ORDER GRANTING IN PART
STIPULATED MOTION TO
EXTEND DISCLOSURE OF
EXPERT TESTIMONY

Before the court is the parties' stipulated motion to extend the deadline for disclosure of expert testimony. (Mot. (Dkt. # 57).) The court GRANTS IN PART the parties' motion.

On July 22, 2021, the court set the bench trial in this matter on May 15, 2023; the deadline for expert witness disclosure and reports under Federal Rule of Civil Procedure 26(a)(2) on November 15, 2022; the deadline for completion of discovery on January 17, 2023; and the dispositive motions deadline on February 14, 2023. (7/22/21 Sched. Order

1 (Dkt. # 51); *see also* 7/21/21 Order (Dkt. # 50) (granting the parties’ stipulated motion to
2 continue their trial from February 7, 2022, to a date at the end of the court’s trial
3 calendar).) The parties now ask the court to extend the deadline for disclosure of expert
4 witness testimony to January 4, 2023, and the deadline for completing expert witness
5 discovery to January 31, 2023. (Mot.) They represent that they are working diligently on
6 completing discovery and have been cooperating on resolving discovery issues as they
7 arise. (*Id.* at 1-2.) Defendants, however, state that they need more time to allow one of
8 their experts to review information that Plaintiff had previously redacted and to enable
9 another expert to review information that was requested by subpoena from non-parties
10 who have delayed their production of responsive documents. (*Id.*) The parties assert that
11 the requested extensions will allow them to “continue to work cooperatively to resolve
12 the redaction issue and to facilitate the production of certain information by non-parties
13 without unnecessarily burdening those non-parties.” (*Id.* at 2.)

14 The court issues scheduling orders setting trial and related dates to provide a
15 reasonable schedule for the resolution of disputes. Pursuant to Federal Rule of Civil
16 Procedure 16(b)(4), “[a] schedule may only be modified for good cause and with the
17 judge’s consent.” Fed. R. Civ. P. 16(b)(4). In general, “failure to complete discovery
18 within the time allowed is not recognized as good cause.” (Sched. Order at 2.) In
19 addition, extensions of the deadline to complete discovery imperil the parties’ ability to
20 timely prepare their dispositive motions. Nevertheless, the court is not without some
21 flexibility with respect to the parties’ case schedule. Accordingly, the court GRANTS IN
22 PART the parties’ stipulated motion (Dkt. # 57), and EXTENDS the expert testimony

1 disclosure deadline to January 4, 2023, and the expert discovery deadline to January 17,
2 2023.

3 Dated this 3rd day of November, 2022.

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6 JAMES L. ROBART
7 United States District Judge
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